

Public Questions – Overview and Scrutiny

29th July 2021

1. Why is this necessary to sell as its a lovely social land which brings the neighbourhood together. A memory bench has been placed there is used a lot? **Adrian and Karen Barr**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Cabinet Report 24th November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

However, it has been brought to the Council's attention that this asset is of potential community value, so the Council will absolutely consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated.

2. What would be required of the local Residents Association, or another socially focused organisation, to be able to take over the green on Sergeants Lane in Whitefield? **Tony Ryan**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

In addition to Q1, a local Residents' Association or other type of community group would need to be a legally constituted entity e.g. have a bank account etc.

3. The green on old hall park estate was purchased from barretts in 1979 with no onerous covenants and leisure controlled what ever that means. its service use is described as leisure . For over 45 years it has been used by the community continually and the residents committee have planted bulbs fruit trees and purchased a memorial bench which is in daily use. In the current covid pandemic it has been a really life saver as a safe place for exercise fresh air and socially distanced contact with neighbours. So why has it been placed on this list? **Yvonne Moore**

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the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

4. Why has there been no community engagement prior to the presentation of the report to Cabinet and approval for disposal? **Jacqueline Yarwood**

The first step in the disposals process is for Cabinet to approve its assets (via a phased approach) as being surplus to the Council's requirements. This does not require community engagement. Once approved, the next step is for the Council to decide on the best method of disposal and undertake the necessary consultation which will include community engagement where necessary.

As part of the governance process before Cabinet, respective ward members are notified of assets in their area that are part of each phase and therefore have an opportunity to raise queries or objections.

In the context of 7 Ryecroft Whitefield we did not receive any feedback or objections from any Pilkington Park ward councillors.

Supplementary Question:

Para 3.23 in Topic Paper 4 of the Bury Local Plan states 'there is a need to protect and enhance the areas of open space, sport and recreation that is important to the residents, landowners, businesses and other users in the Borough'. Are members aware of how this area has been used by residents over the last 40+ years? Do they know it has been planted with trees and bulbs by residents (approved by the Council), a commemorative bench provided (with the Mayor present at the unveiling), community events taken place (rounders tournaments, playing of The Last Post on VE Day) and election cabins located for Pilkington Park ward? Para 3.26 in Topic Paper 4 of the Bury Local Plan identifies that Whitefield and Unsworth have the lowest parks and gardens provision in Borough. Why do members feel it is ok to remove this area when amenity space is lacking in our Ward? No intention to remove – no pre-conceived use etc

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The Council is not looking to remove the area – it is looking to taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

There is no intention through the ALPDP to set a proposed use for each asset. In some cases where appropriate, the Council may look to dispose of an asset with restricted use e.g. to maintain an open space for public enjoyment.

5. What is the upkeep and maintenance cost per year to the Council for the land at Ryecroft? **Paul Yarwood**

Annual cost of £680.

Supplementary Question:

Are the Council looking to simply remove the upkeep costs of the amenity space or gain revenue from the sale?

The Council is taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

6. Were valuations done to ascertain the estimated level of capital receipts from the sale of the assets in the report and if so have they been prioritised? What monetary value are the Council seeking for the land?
Lois Clements

No formal valuations have been carried out.

Supplementary Question:

Are members aware of how this area has been used and much loved by residents over the last 40+ years? Do they know it has been planted with trees and bulbs by residents, a commemorative bench provided, community events such as the recent VE Day celebrations have taken place here and election cabins located for Pilkington Park ward? Bury's vision statement includes the following priority "Drive forward through effective marketing and information, proactive engagement with the people of Bury to take ownership of their own health and wellbeing". Would the members explain how the removal of a much loved amenity green space will improve residents wellbeing, particularly those who are older and less mobile?

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The Council is not looking to remove the area – it is looking to taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

7. What is the reason for the council deciding to sell this land? Why have the local community not been consulted on this? **Lauren Newman**

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The first step in the disposals process is for Cabinet to approve its assets (via a phased approach) as being surplus to the Council's requirements. This does not require community engagement. Once approved, the next step is for the Council to decide on the best method of disposal and undertake the necessary consultation which will include community consultation where necessary.

As part of the governance process before Cabinet, respective ward members are notified of assets in their area that are part of each phase and therefore have an opportunity to raise queries or objections. All Pilkington Park ward councillors were written to highlighting the Ryecroft site being within the proposed disposals cabinet report. No feedback or objections were received.

8. Would regret loss of this local amenity which is valuable to community. Why sell it? **Catherine Armitage**

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The Council is looking to dispose of the asset which does not necessarily mean it will sell it. A CAT is one of the disposal options that will be considered.

9. How would the disposal of Rye Croft, known as The Green to local residents, be aligned to and in support of the recent Greening our borough for tomorrow's generation - Burys climate strategy? I would suggest it would not. **Alison Denholm**

It has been brought to the Council's attention that this asset is of potential community value, so the Council will consider a Community Asset Transfer (CAT), under the Council Community Asset Transfer Policy where it can be demonstrated that there is a community group that is able to take on the management of this asset.

A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated. As its current use is green space, it will support the above strategy.

Supplementary Question:

Are the planning and environmental officers in agreement of removing from Bury Council this utilised leisure amenity which is aesthetically needed to break up the landscape of the housing development, respected, enhanced by residents with seating and further planting of trees and bulbs, encouraging physical exercise and improvement in wellbeing and socialisation, strengthening local community through the use of Rye Croft, The Green?

At this stage within the disposals process, it is not necessary to consult planning and environmental officers.

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A CAT is one of the methods of disposal under the Council's Accelerated Land & Property Disposals Programme (ALPDP) and will be considered for all assets where community value can be demonstrated. As its current use is green space, it will support the above strategy.

The Council is currently seeking to dispose of certain land assets but is not setting the future use of them as this will be up to the Planning Authority to determine should a change of use be identified by the community group.

10. When the current estate was completed, the Council refused the builder's further planning permission request for additional building on the land at Rye Croft - known as "the Green" to generations of our children who have played there for some 45 years and has been a valued open space to residents who live within a stone's throw of what has become one of the busiest and heaviest polluting motorways in the UK. Why is it now possible to consider building there? **David Moore**

The Council is not considering building on the asset. It is seeking to dispose of the it.

11. It is understood 'The area known as the Green has been listed as a potential sale. Why specifically has this area of land been selected? Where does it lie in potential value in relation to the other areas on the Council's list of other areas being considered? What value has been placed on the Green by the council? How was it valued? **Gerald Hattersley**

The Cabinet Report 24th November 2020 approved the Council taking active steps to rationalise its land and property assets that are surplus to the requirements of the Council and are non-strategic; but which continue to need a continuous injection of revenue funding to maintain them.

The asset has not been valued.

Supplementary question

Many - dependent upon response to base questions.

12. How did the council acquire the land? Was it by gift or purchase? Were there any covenants or restrictions placed on the use of the land for example did the restrictions stipulate that the land had to be kept as an open area with no development on it. **Johanna Largan**

It is assumed that this question is referring to '7 Ryecroft' which is one of the assets on the Phase 2 disposals list.

The land was acquired from Barrett Homes in 1979 without any onerous conditions. Land Registry Title no. GM174948.

As a matter of course, each asset proposed to be disposed of, will have the Council's legal title checked to identify whether there are any covenants, restrictions etc that may prevent or frustrate the disposal.

Supplementary question

When the estate was being developed what restrictions were placed on the use of the green in the planning permission? And where are those planning documents now in order to be examined by the residents. Will the council make the relevant documents available for residents to scrutinise?

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